



East Windsor Fire Protection Committee
Special Meeting Minutes
August 23, 2016
7:00 PM
Park Hill
1A Park Hill Road, Broad Brook CT 06016

Opening

The special meeting of the, East Windsor Fire Protection Committee is called to order at 7:00pm on 8/23/2016 by John Burnham.

Present

John Burnham (Warehouse Point Fire Commission), Mike Balf (Warehouse Point Fire Commission), Bob Maynard (Board of Selectman), Charlie Miller (at large for District), Steve Smith (Board of Finance), Nick Macsata (Broad Brook Fire Department) Dale Nelson (Board of Selectman), Thomas Arcari (Broad Brook Fire Department), Josh Hawks-Ladds was in attendance at the meeting. He presented a legal opinion to the board on the different ways to resolve the future and current tax issues. Please See Attached.

Add-on: N/A

Correspondence: None

Public Comment:

N/A

Approval of minutes from last meeting

Motion to approve suspend the minutes until next meeting Nick, Steve second. All in favor

Old Business:

Current tax 2016-2017 (John we should fix 2017-2018 and beyond before we work on 2016-2017)

Tax 2017-2018

Nick: There are errors in the legal document that Josh provided. Broad Brook Fire Department is incorporated, the department raised its own money till 1961 and then the town provided funds for it. Association owns the service vehicle and atv. The town leases the building to the department. The BBFD submits a budget to the town.

Josh: What does the BBFD service?

Tom/Nick: By laws states the town of east Windsor and bb village

Nick: Billing for services as a corporation is an option

John Burnham: Let's slim down the choices, right now there are 6 choices. Which ones should we eliminate?

Bob: Option 6 is not legal

Motion to eliminate option 6 Dale Nelson, Steve Smith second. All in favor

John Burnham: Option 5, create a second fire district. Motion to eliminate option 5, Dale Nelson, Charlie Miller second.

Nick that would mirror what the town of Enfield is currently doing and is a valid option. We are asking for solution to a problem that has not been defined. These are all just legal answers that are not taking into consideration of the needs of the fire service. All five options are all feasible.

Bob Maynard: What would be the course of action to expand district.

Josh: You would need 2/3 vote of only the people

Quick poll: All in favor 2 opposed 7

Bob Maynard Motion to scratch option 1 to do nothing and keep the status quo, Charlie Miller second.

Steve: Option one is perfectly feasible and if the other options do not work that is what you are left with.

Bob: The purpose of the committee is to come up with a solution to the current tax problem.

Tom: It is an option

Nick: How loud is the problem??

Steve: 35ppl were at the district meeting. There needs to be a vote to join or expand the district.

John: The intention last year was to fairly tax the entire town, with the fire protection broken out of the town budget.

The big hitters of the district are not happy with the unfair fire tax.

Steve: Then the big hitters should contact the district. They are a separate government.

Bob: Everything you say is true, but the intention of the town and district was to have fair taxes. The town also had a solution to fix the problem and made the decision to not put the district back in the budget.

Steve: It is easier to dissolve the district. If you expand the district it should go to a town vote.

Nick: I think the problem is fire protection

Steve: This town votes with its pocket books.

Nick: To me the best solution is expanding the district. We should look at all the options first.

Motion to expand the WHPFD to the entire town Steve Smith, Bob Maynard second.

Tom: It is not up to the EWFPD to expand the district. It is up to the commissioners of the district.

John: We can give a recommendation to the BOS, BOF.

Tom: It is up to WHPFD

Josh: WHPFD is under a special act with a board of commissioner which need to be the ones to expand the district.

This is all political and will be determined with a vote.

Dale: Josh if we had one district they would have their own budget and they would be governing themselves. This would leave the town free and clear of all legal liability, we would be held harmless?

Josh: I will have to research this, but I would think so.

Mike: To go back to what Bob said, it was not the plan to double tax the district for fire protection. The town even had a separate tax bill sample, the cost of fire service for BB broken out, and mill rates determined. At the last minute

Josh the town attorney gave a legal opinion that it was not legal to do this. Enfield does this?

Bob: Special service district can be made with a town ordinance.

John: We need a road map for one fire district. All in favor

Josh: Carl might differ on the legal road map.

Steve-Amend Motion Go to separate legal action for item 4 if the commissioner of the district is in agreement, Second Dale.

John: you are asking for?

1. Legal road map for one district
2. Commissioners approval
3. Legal referendum

Bob: doesn't need to be a referendum

Nick asks for the motion to be amended to make it clear before we vote.

Steve: Motion to get legal road map for expanding the district Steve, Dale second.

Mike: it would be a district meeting

Nick:

Option 1 just happens. Status quo

Option 2 not our choice (up to BOF to add back funds into budget)

Option 3 not a choice (eliminate the WHPFD)

Motion to get further legal analysis on option 4, 5 Steve Smith, Dale Nelson second. All in favor

7:56 Josh the Town Attorney left.

Nick: The committee should do an action matrix to determine the best solution

Bob: I will bring a white board to the next meeting

New Business: Amend the calendar to correct dates and times.

Public Comment:

James Barton: I am confused on the mission of the committee, there is already options being eliminated and to money back in the budget is not longer on the list. A town wide referendum is not needed, only the members of the community affected are able to vote.

Nick: Option 2 would be a form of putting money back in the town budget.

D James Barton: It is only a temporary fix to put money back in the budget. You need a district to determine the needs to the fire protection for the town.

Nick: Its fire boots vs. books for school in the town budget.

James Barton: This whole situation was not a quick decision; the town attorney first recommended that the district collect taxes to properly be funded, which took place over three years. The reason this committee is here is the unfair tax. We would have not moved forward with taxing the district if we knew this would be the outcome.

Josh said we could not break the BBFD tax out of the town budget at 4 o'clock the day of the district budget

vote. The town could have then fixed this by adding the WHPFD back into the town budget. You are coming up with options that you have no control over, wasting time and money. You have a road map in front of you.

Bottom line FIRE SERVICE NEEDS TO BE FUNDED.

Rich Austin: The committee was formed to take a recommendation and sell it to the town. The town does not know what the implications of these options are, this is a big deal! They need to understand where the money goes and the wrong option could end up with a 20 million dollar fire service cost.

Bill: Down size government. Enfield is not happy with 5 fire districts, districts get what they want. Town collected all but 18000.00 of the fire tax which doesn't seem like a big objection. Districts are a thing of the past.

Members Comment

Nick: Districts are not a thing of the past. A town wide fire district would be directly responsible for the needs of the fire service for the town.

Tom: No comment

Charlie: No comment

Bob: No comment

Mike: No comment

Peter: No comment

John: Thank you

Adjournment

Meeting was adjourned at 7:57 by John Burnham. The next general meeting will be at 8 on September 13, 2016, at Park Hill.

Minutes submitted by: Jill Caron